

**AGENDA**  
**ZONING REVIEW BOARD**  
**NOVEMBER 14, 2013**  
**6:00 P.M., CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR**

**NEW CASES**

1. **Z-13-42**-An ordinance by Council member Alex Wan to rezone property having a street address of 1965 and 1989 Cheshire Bridge Road from the NC-5 (Cheshire Bridge Road South Neighborhood Commercial) and the R-3 (Single-family Residential) zoning districts to the NC-5-C (Cheshire Bridge Road South Neighborhood Commercial) zoning district.  
NPU F COUNCIL DISTRICT 6  
**NPU RECOMMENDATION: APPROVAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**
2. **Z-13- 38**- A Substitute Ordinance by Councilmember Kwanza Hall to rezone property located at **532, 536, 540, 544, 545 550 and 555 Bishops Way (formerly known as 753 Johnson Avenue, N.E.)** from the PDH (Planned Development-Housing) to the MR-3 (Multifamily Residential) District.  
NPU M COUNCIL DISTRICT 2  
**NPU RECOMMENDATION: APPROVAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL OF A SUBSTITUTE ORDINANCE**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL OF A SUBSTITUTE ORDINANCE**
3. **Z-13-34**- An Ordinance to rezone from the R-4 (Single Family Residential) to the R-4A (Single Family Residential) District for property located **1102 WOODLAND AVENUE, S.E.**, fronting approximately 118 feet on the east side of Woodland Avenue beginning approximately 231 feet from the southwest corner of Woodland Avenue and East Confederate Avenue. Depth varies; Area: 0.5 acres. Land Lot 10, 14<sup>th</sup> District, Fulton County, Georgia.  
OWNER: PAM RAPHAEL  
APPLICANT: DENICE C. BEALL  
NPU W COUNCIL DISTRICT 1  
**NPU RECOMMENDATION: APPROVAL**  
**STAFF RECOMMENDATION: APPROVAL**  
**ZRB RECOMMENDATION: APPROVAL**
4. **Z-13-35**- An Ordinance to rezone from the C-3-C/BL (Commercial Residential-Conditional/Beltline Overlay) District and C-3/BL (Commercial Residential/Beltline Overlay) District to the C-3-C/BL (Commercial Residential-Conditional/Beltline Overlay) District for property located at **(a portion of) 2140 PEACHTREE ROAD, N.W.**, fronting approximately 339 feet on the west side of Peachtree Road beginning approximately 149 feet from the southwest intersection of Peachtree Road and Colonial Homes Drive. Depth: varies; Area: 1.91 acres. Land Lot 111, 17<sup>th</sup> District, Fulton County, Georgia.  
OWNER: BROOKWOOD SQUARE, LLC  
APPLICANT: GRAYCO PARTNERS, LLC  
NPU C COUNCIL DISTRICT 8  
**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**  
**ZRB RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**

5. **Z-13-36-** An Ordinance to rezone from the SPI-11 SA6/BL (Special Public Interest District: Vine City and Ashby Station Subarea 6/Beltline Overlay) District to SPI-11 SA8/BL (Special Public Interest District: Vine City and Ashby Station Subarea 8/Beltline Overlay) District for property located at (Single Family Residential) to the R-4A (Single Family Residential) District for property located at **961-973 DESOTO STREET, N.W.**, fronting approximately 297 feet on the north side of Desoto Street beginning approximately 300 feet from the northeast intersection of Desoto Street and Ollie Street. Depth approximately 324 feet; Area: 2.2 acres. Land Lot 115, 14<sup>th</sup> District, Fulton County, Georgia.  
OWNER: TRACK INVESTMENTS, LLC  
APPLICANT: KAVEH KAMOONEH  
NPU K COUNCIL DISTRICT 3  
**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**  
**ZRB RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**
6. **Z-13-37-** An Ordinance to rezone from the I-2 (Heavy Industrial) District to R-4B (Single Family Residential) District for property located at **1412 CARROLL DRIVE, N.W.**, fronting approximately 150 feet on the south side of Carroll Drive beginning 200 feet from the southwest intersection of Carroll Drive and Southland Circle. Depth approximately 150 feet; Area: 0.52 acres. Land Lot 192, 17<sup>th</sup> District, Fulton County, Georgia.  
OWNER: THOMAS F. WIEDEMAN  
APPLICANT: THOMAS F. WIEDEMAN  
NPU D COUNCIL DISTRICT 9  
**NPU RECOMMENDATION: DEFERRAL**  
**STAFF RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**  
**ZRB RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013**
7. **U-13-19-** An Ordinance granting a Special Use Permit for **Outdoor Amusement**, pursuant to Section 16-18A.006(4)(a), for property located at **168 LUCKIE STREET, N.W.**, fronting approximately 130 feet on the south side of Luckie Street, approximately 104 feet on the east side of Techwood Drive and approximately 37 feet on the east side of Nassau Street. Depth varies; Area: approximately 0.365 acres. Land Lot 78, 14<sup>th</sup> District, Fulton County, Georgia.  
OWNER: TABERNACLE GROUP, LLC  
APPLICANT: ATLANTA PARTNERS, LLC C/O AL MERS  
NPU M COUNCIL DISTRICT 2  
**NPU RECOMMENDATION: NO ACTION TAKEN**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

8. **U-13-20-** An Ordinance granting a Special Use Permit for **Outdoor Dining and eating and drinking establishments when any part of such use is located within 1,000 feet of a residential zoning and use**, pursuant to Section 16-11.005(1)(l), for property located at **3700-3802 ROSWELL ROAD, N.E. (aka 3714 Roswell Road)**, fronting approximately 843 feet on the northwest side of Roswell Road. Depth varies; Area: approximately 10.082 acres. Land Lot 97, 17<sup>th</sup> District, Fulton County, Georgia.

OWNER: REGENCY REALTY GROUP, INC.  
APPLICANT: REGENCY REALTY GROUP, INC. C/O PATRICIA A. WALLIS  
NPU B COUNCIL DISTRICT 8  
**NPU RECOMMENDATION: APPROVAL CONDITIONAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

#### DEFERRED CASES

9. **U-13-16-** An Ordinance granting a Special Use Permit for a **PERSONAL CARE HOME**, pursuant to Section 16-05.005 (1) (g), property located at **1611 MILL ACRES DRIVE, S.W.** fronting approximately 99 feet on the south side of Mill Acres Drive and approximately 140 feet west of the intersection of Mill Acres Drive and Willis Mill Road. Depth: varies. Area: approximately 0.408 acres. Land Lot 200, 14<sup>th</sup> District, Fulton County, Georgia.

OWNER: THERESA HALEY  
APPLICANT: STEPPING STONES YOUTH CENTER, INC.  
NPU I COUNCIL DISTRICT 11  
**NPU RECOMMENDATION: DENIAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: DENIAL**

10. **U-13-18/U-05-31** - An Ordinance to amend Ordinance 05-O-1941 (U-05-31) which granted a Special Use Permit for a **DAY CARE CENTER** pursuant to Section 16-05.005 (1) (b), property located at **2700 BUTNER ROAD, S.W.**, fronting approximately 282 feet on the southeasterly side of Butner Road. Depth: varies; Area: .37 acres; Land Lot 66, 14th FF District, Fulton County, Georgia.

OWNER: SHIWILA M. WILLIS  
APPLICANT: SHIWILA M. WILLIS  
NPU P COUNCIL DISTRICT 11  
**NPU RECOMMENDATION: DENIAL**  
**STAFF RECOMMENDATION: APPROVAL CONDITIONAL**  
**ZRB RECOMMENDATION: APPROVAL CONDITIONAL**

11. **Z-13-17-** An Ordinance to rezone from the C-2-C (Commercial Service-Conditional) District and R-5 (Two-Family Residential) District to the C-2-C (Commercial Service-Conditional) District, property located at **25, 27 , 33 AND 39 DANIEL STREET AND PROPERTIES ON GARTRELL STREET (496 AND 492) WITH THE FOLLOWING PARCEL IDENTIFICATION NUMBERS 14-0045-0003-016-1 AND 14-0045-0003-017-9, AND 40 AND 46 BOULEVARD, S.E.** fronting approximately 166 feet on the north side of Gartrell Street and 256 feet on the west side of Daniel Street and approximately 307 feet on the east side of Boulevard. Depth: varies. Area: approximately 1.36 acres. Land Lot 45, 14<sup>th</sup> District, Fulton County, Georgia.  
OWNER: IPARCEL, NETM LLC, MAN HOLDING, LLC AND VALU INVESTMENT GROUP, LLC/ABE PODBER  
APPLICANT: MOST REVEREND WILTON D. GREGORY, S.L.D.  
AS ARCHBISHOP OF THE ROMAN CATHOLIC ARCHDIOCESE OF ATLANTA AND/OR HIS SUCCESSORS IN OFFICE.  
NPU M COUNCIL DISTRICT 2  
NPU RECOMMENDATION: DENIAL  
STAFF RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013  
ZRB RECOMMENDATION: 30-DAY DEFERRAL-DECEMBER 2013
12. **Z-12-02-** An Ordinance to rezone from the I-2 (Heavy Industrial) District to the MR-4A (Multifamily Residential) District, property located at **903 HUFF ROAD, N.W.**, fronting approximately 935 feet on the north side of Huff Road, beginning approximately 368 feet at the intersection of Booth Street and Huff Road. Depth: varies. Area: 5.36 acres. Land Lots 151 and 188. 17<sup>th</sup> District, Fulton County, Georgia.  
OWNER: SISKEN STEEL AND SUPPLY COMPANY  
APPLICANT: WSE LLC.  
NPU D COUNCIL DISTRICT 9  
NPU RECOMMENDATION: APPROVAL CONDITIONAL  
STAFF RECOMMENDATION: APPROVAL CONDITIONAL  
ZRB RECOMMENDATION: APPROVAL CONDITIONAL

**END OF AGENDA**